

## **REMARKS**

The Office Action dated June 15, 2007 has been reviewed carefully and the following arguments are presented in a sincere effort to place the application in condition for allowance. Accordingly, reconsideration of the rejection of the claims and allowance of the same, are respectfully requested on the basis of the following remarks.

Upon entry of this amendment claims 1, 5-23, 26-31, 40, 43-52, and 55-57 will be pending in the application.

### **Double Patenting rejection**

The Applicants submit that the claims of the present invention are patentability distinct from claims 1-16 of Barancyk (U.S. Pat. No. 5,992,475). Specifically, the claims in Barancyk do not disclose and/or suggest the use of a copolymer comprising alternating structural units of a donor monomer and an acceptor monomer wherein the donor monomer is selected from isobutylene, diisobutylene, dipentene, and/or isoprenol.

The Applicants, therefore, submit that the claims of the present invention are not obviousness in light of the claims in Barancyk, and that the double patenting rejection is improper. Accordingly, withdrawal of the double patenting rejection is respectfully requested.

### **Rejection of claims 1, 5-23, 26-31, 40, 43-52, and 55-57 35 U.S.C. 102(b)**

The Examiner has rejected claims 1, 5-23, 26-31, 40, 43-52, and 55-57 under 35 U.S.C. 102(b) for allegedly being anticipated by Barancyk.

The Examiner indicates that Barancyk discloses a list of co-monomers which comprises the donor and acceptor monomers as claimed in the present invention. Specifically, the Examiner references column 6, lines 16-45, and column 11, lines 7-33, to support his contention. See page 5 of the Office Action.

The Applicants, however, submit that the columns and lines referenced by the Examiner do not disclose the use of isobutylene, diisobutylene, dipentene, and/or isoprenol (donor monomer) as a monomer that is used to form the acrylic copolymer. Rather, Barancyk clearly discloses that the acrylic copolymers having groups of structure II may be reaction products of one or more monomers of structure III and alkyl esters of

acrylic acid or methacrylic acid and, optionally, one or more other polymerizable ethylenically unsaturated monomers. Column 6, lines 22-26. Suitable other polymerizable ethylenically unsaturated monomers include vinyl aromatic compounds, nitriles, vinyl, and vinylidene halides. Column 6, lines 30-35.

Moreover, Example B, which the Examiner cites, merely discloses that the acrylic copolymer is made from hydroxypropyl acrylate, butyl methacrylate, and methyl styrene dimer. There is no mention of using isobutylene, diisobutylene, dipentene, and/or isoprenol to make the copolymer.

Because Barancyk does not disclose the co-monomers used to make the alternating copolymer as described in the present invention, the Examiner's assertion that the acrylic copolymer in Barancyk would inherently possess alternating structural units is improper.

Since Barancyk does not disclose every element that is recited in Applicants' claims 1, 23, 40, and 52, the Applicants submit that these claims, and the claims that depend directly or indirectly therefrom, are in condition for allowance.

**Rejection of claims 1, 5-23, 26-31, 40, 43-52, and 55-57 35 U.S.C. 103(a)**

The Examiner has rejected claims 1, 5-23, 26-31, 40, 43-52, and 55-57 under 35 U.S.C. 102(a) for allegedly being unpatentable over Barancyk.

Contrary to the Examiner's contention, the Applicants submit that Barancyk does not disclose and/or suggest the use of isobutylene, diisobutylene, dipentene, and/or isoprenol as a donor monomer used to form an alternating copolymer.

Moreover, as stated above, the Examiner's assertion that the copolymer in Barancyk would inherently possess alternating structural units is improper due to the fact that Barancyk does not disclose and/or suggest the use of the donor monomers described above.

Because Barancyk does not disclose and/or suggest every feature that is recited in Applicants' claims 1, 23, 40, and 52, the Applicants submit that these claims, and the claims that depend directly or indirectly therefrom, are in condition for allowance.

**Conclusion**

In light of the foregoing arguments, it is submitted that claims 1, 5-23, 26-31, 40, 43-52, and 55-57 are in proper form for issuance of a Notice of Allowance and such action is respectfully requested at an early date.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Diaz". The signature is fluid and cursive, with the first name "Robert" being more prominent than the last name "Diaz".

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